

MEETING MINUTES

MILPITAS PLANNING COMMISSION Special Meeting Milpitas City Hall, Council Chambers 455 E. Calaveras Blvd., Milpitas, CA

Wednesday, November 18, 2015

- I. PLEDGE OF ALLEGIANCE** **Chair Mandal** called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.
- II. ROLL CALL/ SEATING OF ALTERNATE** **Commissioners**
Present: Chair Sudhir Mandal, Vice Chair Rajeev Madnawat
 Commissioners Gurdev Sandhu, Larry Ciardella, Hon Lien, Ray
 Maglalang, Zeya Mohsin

Absent: Morris

Staff: Bill Ekern, Katy Wisinski, Richard Patenaude, Sarah Fleming
- III. PUBLIC FORUM** **Chair Mandal** invited members of the audience to address the Commission and there were no speakers.
- IV. APPROVAL OF MEETING MINUTES** **Chair Mandal** called for approval of the October 28, 2015 meeting minutes of the Planning Commission.

Motion to approve Planning Commission meeting minutes.
Motion/Second: Commissioner Sandhu/Commissioner Mohsin
AYES: 4
NOES: 0
ABSTAIN: 3 Mandal, Madnawat, Ciardella
- V. ANNOUNCEMENTS** No announcements.
- VI. CONFLICT OF INTEREST** **Attorney Katy Wisinski** asked if any member of the Commission had any personal or financial conflict of interest related to any of the items on the agenda.

There were no reported conflicts.

VII. APPROVAL OF AGENDA

Chair Mandal asked if staff or Commissioners had changes to the agenda and there were none.

Motion to approve the November 18, 2015 agenda as submitted.

Motion/Second: Vice Chair Madnawat/Commissioner Ciardella

AYES: 7

NOES: 0

VIII. CONSENT CALENDAR

NO ITEMS

IX. PUBLIC HEARING

IX-1 AMALFI II – 600 Amalfi Loop – Site Development Permit No. SD-15-0005, Conditional Use Permit No. UP-15-0013, and Major Tentative Map No. TM-15-0004:
A request for a Site Development Permit, a Conditional Use Permit for tandem parking, and a Major Vesting Tentative Map for condominium purposes, for the construction of 73 townhomes, along with common area and associated site improvements, replacing the previously-approved “wrap” condominium building, on a 2.92-acre parcel within the Piper-Montague Subdistrict of the Transit Area Specific Plan and the R3-TOD/S Zoning District.

Project Planner Richard Patenaude provided a brief background and showed a PowerPoint presentation reviewing the project.

Chair Mandal asked what the railroad line going around the project is utilized for and if it is still active, and Mr. Ekern said it is an active freight line that services the industrial area to the north.

Commissioner Maglalang asked about the open spaces in the development and if Montague Station Park would serve both Amalfi I and II and Mr. Patenaude said the park is not specific to this project and will serve the entire neighborhood, there is open space in the Amalfi apartments and a clubhouse and recreational facilities as private space.

Commissioner Maglalang asked if the proposed open spaces are consistent with what was approved by City Council for this project and Mr. Patenaude said the park space is sufficient and consistent with the TASP, adding that fewer units are now being proposed.

Chair Mandal asked if there is a connection between this project and creeks or other parks and Mr. Patenaude said there will be street improvements, including sidewalks, around the street frontages. Mr. Ekern said there is not much along Montague Expressway and no creek along South Milpitas.

Jim Sullivan of SCS Development Citation Homes showed a presentation and discussed the project. He said the residents are going to have walkable access to Montague Expressway and eventually a pedestrian overpass from the Edge project to the BART parking structure and parking lot.

Commissioner Mohsin asked if guest parking will be provided and Mr. Sullivan said

there will be guest parking, and they are exceeding the parking requirement of 1.6 spaces per unit and providing 2 spaces, adding that every unit has a 2 car garage.

Vice Chair Madnawat asked if the units will be Spanish or Italian style and Mr. Sullivan said they will be a combination of both.

Vice Chair Madnawat asked if it is possible to transfer the public art requirement to a park and Mr. Ekern said it will be up to the Arts Commission to decide the appropriate location.

Chair Mandal opened the public hearing and there were no speakers.

Motion to close the public hearing.

Motion/Second: Vice Chair Madnawat/Commissioner Sandhu

AYES: 7

NOES: 0

Motion to Adopt Resolution No. 15-036 recommending approval of Site Development Permit No. SD-15-0005, Conditional Use Permit No. UP-15-0013, and Major Tentative Map No. TM-15-0004 to the City Council, subject to the attached Conditions of Approval.

Motion/Second: Vice Chair Madnawat/Commissioner Sandhu

AYES: 7

NOES: 0

X. NEW BUSINESS

X-1 1992 TAROB COURT - Potential Rezoning Discussion: Discussion regarding the split-zoning of 1992 Tarob Court, and the degree of potential PC support for rezoning of this site from MP-TOD to High-Density Residential (R3 or above). Possible zoning change has the potential to affect three other parcels along Lundy Street, all within TASP boundaries.

Project Planner Sarah Fleming said this discussion was prompted by a question staff received from a developer in the TASP area regarding a split zone site and a proposal to rezone the site from light industrial to residential. The developer is interested in developing both sites as residential properties.

Ms. Fleming discussed the split zone and adjacent parcels to see if a zoning change is something the commission would consider and what that would mean for three remaining industrial parcels on Lundy, adding that good planning practice would likely rezone all four parcels to keep them consistent and avoid conflicting uses.

Vice Chair Madnawat asked for the history of how the parcel was zoned half industrial and half residential. Mr. Ekern said developers uncovered old subdivision maps that at one point in time showed two parcels which were possibly merged at the time the building was built.

Chair Mandal is uncomfortable having residences in an industrial area.

Commissioner Mohsin said that as the community grows and the need for small park industrial areas decreases she would not be opposed to the rezoning, as many of the buildings are vacant.

Commissioner Maglalang would prefer to have high density mixed used at this location.

Vice Chair Madnawat said the owner cannot fully utilize the lot, and due to the circumstances he would be amenable to rezoning to R3 or MDX2.

Robert Martin with Arlin Properties said he is a broker and consultant for landowners and developers and is representing True Life Homes and Tarob Court Properties LLC, the owner of 1992 Tarob Court.

Mr. Martin said they are in the planning process to build a Townhome development of 66 units at 1980 Tarob Court and noticed the split zone issue when exploring the possibility of unifying the parcels. He said it is important for the quality of life of the residents at 1980 Tarob Court, already zoned R3 and being developed as residential, that 1992 Tarob Court be rezoned.

Commissioner Ciardella believes it would make sense to rezone to residential.

Vice Chair Madnawat asked about the legal precedent for a lot that has two zones and Attorney Wisinski said split zoning is not illegal and seen frequently, although unusual and difficult to accommodate from a planning perspective.

XI. ADJOURNMENT The meeting was adjourned at 8:35 PM.

Motion to adjourn to the next meeting.

Motion/Second: Vice Chair Madnawat/Commissioner Sandhu

AYES: 7

NOES: 0

*Meeting Minutes submitted by
Planning Secretary Elia Escobar*